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TAGS: PHUM MOPS MARR PGOV I2
SUBJECT: DETAINEES REPORT TORTURE BY NATIONAL POLICE AND
IRAQI ARMY, TWO DETENTION FACILITIES INSPECTED

REF: A) BAGHDAD 1245 B) 06 BAGHDAD 1241 C) BAGHDAD 1183

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FOR REASONS 1.4(B,D)

¶11. (C/NF) SUMMARY: On April 5, six Iraqi detainees held at two Iraqi detention facilities located adjacent to Forward Operating Base (FOB) Justice in Khadimiya provided personal accounts of torture and beatings by National Police (NP) and Iraqi Army (IA) forces to PolOff during an unannounced human rights inspection. Several of the 798 detainees -- which included 13 juveniles -- held at the overcrowded, Ministry of Interior (MoI) 2nd NP Division detention facility stated that the NP tortured them during onsite interrogations. Several of the 43 detainees held at the MoD's 1st Brigade, 6th Division facility said both IA and NP abused them en route the facility. The Coalition's National Police Transition Team (NPTT) embedded at the MoI facility noted a "systemic problem with low-level abuse" of detainees; however, reportedly because the NP restricts their access to the detainees, the NPTT was unaware of the full extent of the abuse. Post will coordinate with the Coalition and GOI on strategies for more oversight of detainee abuse. END SUMMARY.

BROKEN ARMS, BLACK EYES AT MOI FACILITY

¶12. (C/NF) During an unannounced, ad hoc April 5 inspection of the MoI 2nd NP Division detention facility by representatives from the U.S. Embassy, Iraqi Ministry of Defense (MoD), and the Coalition Force's (CF) Multi-National Security Transition Command-Iraq (MNSTC-I), four detainees reported they had been tortured by NP during onsite interrogations when they were isolated from the view of Iraqi staff. The inspection team accessed the detainees after overcoming initially firm resistance by MoI Colonel Shaker Al-Saidi, who then insisted that no photographs be taken. The inspection team found a total of 798 detainees jammed into four dirty and foul-smelling cells: one larger cell (approximately 50' X 100') and three smaller cells (approximately 30' X 75'). (Note: Although the 2nd NP Division detention facility is operated by MoI, under the auspices of the Baghdad Security Plan (BSP) Kharkh Command, it is holding both MoI and MoD detainees (ref A). End note.)

¶13. (C/NF) The most obvious signs of torture were found in the first cell, where three detainees out of the over 200 present, provided their accounts of torture to PolOff. One man, Ismael Abdla Ali, had a cast on his left arm, a grossly swollen left hand, and bruises on his right arm. He said he had no feeling in his right shoulder after the NP twisted his

arms during interrogations conducted about 20 days into his nearly two months at the facility. The NPTT team had documented his abuse as occurring on the night of March 26, but noted that Ali was "hesitant to say exactly how he was beaten".

¶4. (C/NF) A second man, Jasim Ibrahim Abdullah had bruising around both of his eyes and reported that during the course of his then-fifteen day stay at the facility, the NP had beaten him during interrogations. He confided that at times when Iraqi detention facility administration knew that human rights inspectors were coming, they would move certain detainees upstairs out of view. (Note: Minister of Human Rights Wijdan Salim has informed PolOffs previously that she discovered hidden detainees during a joint Iraqi-U.S. inspection of the facility on February 21. End note.)

¶5. (C/NF) The third man, Hanny Saleh Abid Abdullah, who had been at the facility for approximately 50 days after being arrested at a checkpoint as he was en route to Syria, bore a cast on his left arm, which appeared severely atrophied -- with the left forearm being much thinner than his right forearm. He said the injury occurred due to torture in his first days of detention when his interrogators tied his arms behind him and then pulled repeatedly. Abdullah noted that the doctor who treated him told him he needs surgery.

DETAINEES FEAR INFORMANTS AT MOI FACILITY

¶6. (C/NF) Within the three smaller cells, only one young man, Adnon Awad Khalaf Al-Jabori came forward to give a personal account of torture. When pulled aside, Al-Jabori became emotional as he whispered there were spies implanted inside

the cell, and therefore he was afraid to say what had happened to him. After PolOff arranged a ruse to examine his "medical problems", Al-Jabori relayed that the torture always happened at night when the Americans are not around. He said the NP injured his penis using a cable, and now there is blood in his urine. Al-Jabori also pulled down his pants slightly to show PolOff a spot in his pelvic area, where he said the NP had applied electric shocks. He added there was only one Shiite detainee in the cell -- whereas the rest were Sunni.

¶7. (C/NF) Another man, detained separately from Al-Jabori in one of the other three smaller cells, confided to PolOff that detainees could not speak in front of the facility's Iraqi medic, who would inform on them. Yet another detainee, who also did not give his name, said there had been other human rights inspections that led to no results, therefore reducing the incentive for detainees to risk their safety by coming forward.

¶8. (C/NF) In a separate conversation with PolOff on April 3, Council of Representatives (CoR) Human Rights Committee member Shatha Abdul Razzak Abbousi reported she and other members of the committee visited the 2nd NP Division detention facility on March 15. According to Abbousi, the NP tried to turn them away, but let them stay after they said they would complain to the Prime Minister. MOI officials, however, only let them meet with a selected group of detainees, removed from their cells, and then monitored their conversations. Expressing skepticism, Abbousi said that when she asked one detainee about his broken arm, he replied he had "slipped in the bathroom".

JUVENILES, FOREIGN NATIONALS AT MOI FACILITY

¶9. (C) Thirteen young men self-identified themselves to the inspection team as juvenile males (under 18 years old) at the 2nd NP Division detention facility. This reflects an ongoing problem, since an Iraqi-U.S. Joint Inspection Detention Facility Team (JIDFT) inspection conducted exactly a year

before counted 17 juveniles among 657 detainees (ref B). One juvenile, however, reported that some juveniles had been transferred recently to a juvenile detention facility. (Note: By Iraqi law, juveniles should be detained in juvenile detention facilities managed by the Ministry of Labor and Social Affairs. End note). There were also two self-reported third-country nationals (1 Sudanese, 1 Syrian). Human Rights Committee member Abbousi had also noted the presence of a Sudanese detainee during her March 15 visit.

MOI FACILITY: SOME JUDICIAL PROCESSING, POOR MEDICAL CARE

¶10. (C) Two investigative judges were present in the facility to process cases. According to NPTT representatives, together they were reviewing approximately 70 cases daily. None of the detainees who spoke to PolOff had seen a judge.

¶11. (C) During the inspection, PolOff found two detainees lying on their backs with severe injuries -- possibly requiring hospitalization. The men said the injuries occurred before they arrived at the detention facility. One grimaced with pain and said he was still bleeding, while the other man had pins protruding from his upper left thigh. NPTT reps told PolOff that the detention center lacked resources to provide adequate medical care for the detainees.

MOD FACILITY: NO ABUSE ONSITE, DETAINEE ABUSE EN ROUTE

¶12. (C/NF) On April 5, six detainees of the 43 held at the MoD 1st Brigade, 6th Division detention facility -- also located at FOB Justice -- told PolOff they had not been abused onsite. The lengths of their detentions ranged from 65 days to 5 months. Two men (a father and son), who had been detained for the shortest period of 65 days, reported that they had not been abused during any stage of their detention. The other four men reported the NP and IA abused them before they were transferred to the MOD facility. For example, one 19 year old detainee said before his arrival, the NP tortured him with electric shocks and cable beatings. Another man reported that before his transfer to the 1st Brigade, 6th Division facility, the IA held him for two days

at what he believed was a private home, where they beat him with cables and hung him in stress positions from the ceiling during interrogations. He added that his interrogators hurt his fingers as they tried to extract confessions.

MOD FACILITY: JUDICIAL PROCESSING, NO FINGERPRINTING

¶13. (C) Three of the detainees at the 1st Brigade, 6th Division facility told PolOff they had spoken with an investigative judge. Detention facility officials said that they do not have the resources to fingerprint their detainees, but they take their pictures and hold the evidence associated with their cases. They showed PolOff the locked closet where they keep evidence, which includes weapons. Detention facility officials reported 19 of the 43 detainees were about to be moved for trial, and that evidence held at the detention center would be transferred with them.

COMMENT

¶14. (C/NF) Similar accounts by detainees held in different cells at the 2nd NP Division detention center reflect credible evidence of torture onsite at the facility, where Coalition Forces are embedded. Fifteen high-interest detainees were also located by Post during the April 5 inspection (ref C). The NPTT team has taken steps to document mistreatment of detainees at the 2nd NP Division

detention center. However, detention center staff have at times denied the NPTT's access to detainees. In addition, it appears that many detainees may have been afraid to reveal abuse to due fear of retribution by facility staff. Post will coordinate with the Coalition and GOI on improving human rights oversight at detention facilities where Coalition Forces are embedded. END COMMENT.

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